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Cc: Spence, Sandra[Spence.Sandra@epa.gov]
From: Laidlaw, Tina
Sent: Tue 12/20/2016 3:34:20 PM
Subject: Variance Duration Example
Fulton MO variance duration justification 12_19_16.docx
MT justification for variance duration 12_19_16 Final Version.docx

Hi Guys,

Attached are two examples demonstrating the timing precision that could justify the duration of a water quality standards variance.

The first document is an excerpt from a variance for a wastewater treatment plant in Fulton, Missouri. Please note that the tasks listed in Missouri's justification are unique to the circumstances there. For example, the first steps are directly related to an administrative order on consent between the Department and the city. Also note that this variance was submitted before 131.14 was final. Thus the step "take the waters off the 303(d) list," would not be acceptable today because it is not directly related to progress toward achieving the highest attainable condition (today's regulation only allows time to plan activities, implement activities, or evaluate the outcome of activities that are directly related to reducing pollutant loadings). Nevertheless, we think this is a reasonable example of the timing precision with which Montana can justify the duration of a multiple discharger variance for nutrients

The second document is a hypothetical example we developed to demonstrate the level of detail that could justify the duration of Montana's multiple discharger variance. We developed this hypothetical example to reflect some of the issues we understand Montana dischargers may face.

We hope that both of these documents provide insights into the level of details needed to justify the duration of the variance. Feel free to contact me with any questions.

Tina

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